# ASSEMBLY BILL                                    No. 1604

### Introduced by Assembly Member Saldana

### February 22, 2005

An act to amend Section 20651 of the Public Contract Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1604, as introduced, Saldana.  Public contracts: community colleges.

Existing law requires the governing board of any school district or community college district, in accordance with certain requirements, to let any contracts involving an expenditure of more than $50,000 for the purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district, or for services or repairs, as specified, and requires that this amount be adjusted annually, as specified, commencing January 1, 1997.

This bill would authorize the trustees and the governing board of a community college district to award annual contracts in the amount not to exceed $3,000,000 for repair or other repetitive work, or renovation or modification work that is to be done according to unit prices.

Vote:  majority.  Appropriation:  no. Fiscal committee:  yes. State-mandated local program:  no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 20651 of the Public Contract Code is
2   amended to read:

1    20651. (a) The governing board of any community college
2  district shall let any contracts involving an expenditure of more
3  than fifty thousand dollars ($50,000) for any of the following:
4    (1) The purchase of equipment, materials, or supplies to be
5  furnished, sold, or leased to the district.
6    (2) Services, except construction services.
7    (3) Repairs, including maintenance as defined in Section
8  20656, that are not a public project as defined in subdivision (c)
9  of Section 22002.
10    The contract shall be let to the lowest responsible bidder who
11  shall give security as the board requires, or else reject all bids.
12    (b) The governing board shall let any contract for a public
13  project, as defined in subdivision (c) of Section 22002, involving
14  an expenditure of fifteen thousand dollars ($15,000) or more to
15  the lowest responsible bidder who shall give security as the board
16  requires, or else reject all bids. All bids for construction work
17  shall be presented under sealed cover and shall be accompanied
18  by one of the following forms of bidder's security:
19    (1) Cash.
20    (2) A cashier's check made payable to the community college
21  district.
22    (3) A certified check made payable to the community college
23  district.
24    (4) A bidder's bond executed by an admitted surety insurer,
25  made payable to the community college district.
26    Upon an award to the lowest bidder, the security of an
27  unsuccessful bidder shall be returned in a reasonable period of
28  time, but in no event shall that security be held by the district
29  beyond 60 days from the time the award is made.
30    (c) This section applies to all equipment, materials, or
31  supplies, whether patented or otherwise. This section shall not
32  apply to professional services or advice, insurance services, or
33  any other purchase or service otherwise exempt from this section,
34  or to any works done by day labor or by force account pursuant
35  to Section 20655.
36    (d) Commencing January 1, 1997, the Board of Governors of
37  the California Community Colleges shall annually adjust the
38  dollar amounts specified in subdivision (a) to reflect the
39  percentage change in the annual average value of the Implicit
40  Price Deflator for State and Local Government Purchases of

1  Goods and Services for the United States, as published by the
2  United States Department of Commerce for the 12-month period
3  ending in the prior fiscal year. The annual adjustments shall be
4  rounded to the nearest one hundred dollars ($100).
5    *(e) (1) Notwithstanding any provision of this article, the*
6  *trustees and the governing board of a community college district*
7  *may award annual contracts that do not exceed three million*
8  *dollars ($3,000,000) for repair or other repetitive work, or*
9  *renovation or modification, to be done according to unit prices.*
10   *(2) For purposes of this subdivision, "unit prices" means the*
11  *amount paid for a single unit of an item of work.*

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